



IDAHO DEPARTMENT OF HEALTH & WELFARE

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May 27, 2010

FILE COPY

Michael Day
Independent Living Services Milclay
PO Box 6395
Boise, ID 83711

Provider #13G011

Dear Mr. Day:

On **May 20, 2010**, a complaint survey was conducted at Independent Living Services Milclay. The complaint allegations, findings, and conclusions are as follows:

Complaint #ID00004641

Allegation #1: Individuals are subjected to physical and verbal abuse by staff.

Findings #1: An unannounced onsite complaint investigation was conducted on 5/20/10. During that time, review of the facility's accident/injury reports and investigations, observations, and staff interviews were conducted with the following results:

- Accident/injury reports and investigations from 3/23/10 to 5/20/10 were reviewed. The facility had not received any allegations of abuse, neglect, or mistreatment, therefore there were no investigations completed. No accident/injury reports documented indicators of abuse, neglect or mistreatment.
- Observations were conducted on 5/20/10 from 1:25 - 2:05 p.m. at a day program site, and at the facility from 3:15 - 3:45 p.m. During those times, none of the 5 individuals residing at the facility showed indications of physical abuse.

Additionally, during observation it was noted individuals speaking in normal tones could be heard from one end of the facility to the other, indicating staff at one end of the facility would be able to hear if someone was verbally abusing individuals at the other end.

- Interviews were conducted with 2 direct care staff, 2 supervisors, the facility's nurse, the Program Director, and the Administrator on 5/20/10 from 2:15 - 3:15 p.m. and 5:25 - 5:40 p.m. All stated they had no knowledge of, and had not witnessed, any incidents of physical or verbal abuse.

Additionally, 1 of 3 sample individual's guardians was interviewed on 5/20/10 from 5:10 - 5:15 p.m. The guardian stated she had no concerns regarding abuse, neglect or mistreatment of individuals residing at the facility.

Further, a day program site supervisor was interviewed on 5/20/10 at 1:15 p.m. She stated that she had seen no indications of physical abuse of individuals residing at the facility.

Therefore, the allegation was unsubstantiated and no deficient practice was identified.

Conclusion: Unsubstantiated. Lack of sufficient evidence.

Allegation #2: Individuals' personal property and funds are diverted by staff members for personal gain.

Findings #2: An unannounced onsite complaint investigation was conducted on 5/20/10. During that time, observations and staff interviews were conducted with the following results:

- Observations were conducted on 5/20/10 from 2:05 - 2:15 p.m. and from 3:15 - 3:45 p.m. During those times, individuals' personal belongings were noted to be present, including but not limited to personal clothing, personal CD players, CDs, DVDs, hand held video games and video game cartridges. Also, individuals were noted to be using personal belongings.

- Interviews were conducted with 2 direct care staff, 2 supervisors, the facility's nurse, the Program Director, and the Administrator on 5/20/10 from 2:15 - 3:15 p.m. and 5:25 - 5:40 p.m. All stated they had no knowledge of, and had not witnessed, individuals' personal funds or belongings being misappropriated.

Additionally, the 2 supervisors, the Program Director, and the Administrator all described the facility's process for tracking and monitoring individuals' personal funds and belongings. Each individual had cash available in the facility for purchases and outings. Staff members were required to maintain receipts for items purchased with individuals' personal funds. Each month, the receipts were reconciled by all four supervisors concurrently. Individuals' personal funds were dispersed to the facility on a monthly basis in the presence of all four supervisors as well. The Administrator was the only person who had access to the safe where individuals' personal funds were kept.

Clothing inventories were completed twice a year for each individual. A shift review report was also kept and reviewed for every shift change. That report addressed individuals' personal property that had been brought into the facility as well as the destruction or disposal of any existing personal property.

Further, 1 of 3 sample individual's guardians was interviewed on 5/20/10 from 5:10 - 5:15 p.m. The guardian stated she had no concerns regarding individuals' personal funds or belongings being misappropriated.

Therefore, the allegation was unsubstantiated and no deficient practice was identified.

Conclusion: Unsubstantiated. Lack of sufficient evidence.

Allegation #3: Individuals' as needed medications are diverted for staff use.

Findings #3: An unannounced onsite complaint investigation was conducted on 5/20/10.

During that time, staff interviews, and review of medical records and personnel files were conducted with the following results:

- Interviews were conducted with 2 direct care staff, 1 supervisor, the facility's nurse, the Program Director, and the Administrator on 5/20/10 from 2:15 - 3:15 p.m. and 5:25 - 5:40 p.m. All stated they had no knowledge of, and had not witnessed, any incidents of individuals' medication being diverted for staff use.

Further, the 2 direct care staff, the supervisor and the facility's nurse all explained the prn (as needed) medication administration process included the individual meeting criteria for the medication, calling for approval which notified the nurse, all supervisors, and the Administrator. Additionally, staff had to document which medication was given, at what time, and the effectiveness of the medication on the back of the MAR (Medication Administration Record).

- MARs from 2/1/10 - 5/20/10 were reviewed for three sample individuals. All MAR documentation showed no indication that individuals' medications had been diverted for staff use.

- Personnel records for 3 direct care staff and 1 supervisor were reviewed. There was no documentation indicating concern staff had diverted individuals' medications for personal use.

Therefore, the allegation was unsubstantiated and no deficient practice was identified.

Michael Day
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Conclusion: Unsubstantiated. Lack of sufficient evidence.

As none of the complaints were substantiated, no response is necessary. Thank you for the courtesies and assistance extended to us during our visit.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Case, Esq.", written in a cursive style.

MICHAEL CASE
Health Facility Surveyor
Non-Long Term Care

A handwritten signature in black ink, appearing to read "Nicole Wisenor", written in a cursive style.

NICOLE WISENOR
Co-Supervisor
Non-Long Term Care

MC/srp